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June 17, 2024

By ECF

Hon. Denny Chin

United States Court of Appeals for the Second Circuit

Thurgood Marshall United States Courthouse

40 Foley Square

New York, New York 10007

Re: Bahl vs. NYIT
Case No. 2:14-cv-4020 (DC)(LGD)

Dear Judge Chin:

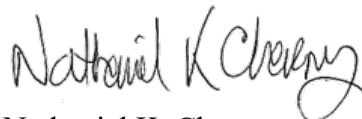
This office is co-counsel to the plaintiff in the above matter. At plaintiff's request, I write to ask for the Court's confirmation that plaintiff may file a post-verdict application under Rule 50(b) seeking judgment as a matter of law regarding the element of "reasonable accommodation."

Regarding the procedural posture, as the Court may recall, during the trial on behalf of plaintiff, plaintiff reserved all applications, etc. In addition, applications were made by plaintiff during the course of the trial -- as requested by plaintiff -- for rulings on his disability status, trial errors (e.g. for a "mistrial"), among other matters. As the Court may also recall, at the time of inviting defendant to make its Rule 50 applications, the Court advised that it would necessarily not be ruling on any such applications and would wait until after the verdict.

Finally, plaintiff's counsel will be seeking leave to withdraw as counsel under Local Rule 1.4, such application will be filed this afternoon. In advance of the Court's consideration and ruling on same and with the potential that the plaintiff will end up in this matter pro se at least for some period of time, the purpose of this application is to ask for the Court's instruction to plaintiff that he may make a requested Rule 50(b) motion on the question of "reasonable accommodation" and that such application will be considered by the Court in due course.

Thank you for your attention to this request.

Respectfully submitted:



Nathaniel K. Charny

cc: All Counsel of Record (by ECF)